

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI**

MICHELE KOCH and KENDAL KOCH, )  
  )  
  )  
   Plaintiffs, )  
  )  
  )  
   vs. )   Case No: 4:22-cv-00229-HFS  
  )  
  )  
KAYLA TAYLOR, *et al.* )  
  )  
  )  
   Defendants. )

**MOTION TO DISQUALIFY DEFENSE COUNSEL, OR IN THE ALTERNATIVE,  
ENTRY OF DEFAULT FINAL JUDGMENT**

Plaintiffs Michele Koch and Kendal Koch, Pro Se, move to disqualify Defense Counsel citing violations of Rules of Professional Conduct 4-3.3, 4-3.4, 4-3.7, 4-4.1, and 4-4.4, or, in the alternative, an entry of default final judgment in favor of Plaintiffs.

Plaintiffs have contemporaneously submitted their Suggestions in Support, as explained in greater detail in those Suggestion:

1. Defense Counsel knowingly and willfully presented false evidence in response to Plaintiffs' Requests for the Production of three Support Plans allegedly developed by the Defendants that are material to Plaintiffs' allegations of Section 504 Retaliation and 14th Amendment Due Process violations.

2. Defense Counsel asserted attorney/client privilege in response to Plaintiffs' requests to identify who created the documents presented as evidence of three alleged Support Plans which are bates stamped by Defendants PHSD\_000001 – PHSD\_000006.

3. Defense Counsel, now linked to the false evidence, are liable for injuries alleged in Plaintiffs' Complaint that have been attributed entirely to the Defendants and are subject to a claim of civil aiding and abetting and civil conspiracy regarding the legal services Defense Counsel provided to the Defendants for the creation of false evidence (PHSD\_000001 – PHSD\_000006) and the furtherance of the conspiracy to harm Plaintiffs.

4. Defense Counsel attorneys Jessica Bernard and Anthony McDaniel have been identified by Plaintiffs as witnesses to material facts possessing personal knowledge and information regarding the creation/consultation of false evidence and said information is subject to discovery under the crime/fraud exception to attorney client privilege.

WEREFORE, for the reasons stated herein, Plaintiffs respectfully request the Court to Disqualify Defense Counsel, or, in the alternative, enter a final judgment of Default in Plaintiffs favor, for Default Judgment is an appropriate remedy for knowing and willful fraud on the Court. Plaintiffs respectfully request a stay of discovery pending the Court's ruling, and for such other and further relief the Court deems just and proper.

Respectfully submitted by,  
*/s/ Michele Koch*

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Michele Koch  
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*/s/ Kendal Koch*

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PRO SE PLAINTIFFS

**CERTIFICATE OF SERVICE**

Plaintiffs, Michele Koch and Kendal Koch, Pro Se, hereby certify that on this 29th day of December 2022, they served their Motion to Disqualify Defense Counsel, or, in the Alternative, for an Entry of Default Final Judgment in Favor of the Plaintiffs via electronic mail upon:

Jessica M. Bernard MO #58980

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Anthony S. McDaniel MO #68767

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ATTORNEYS FOR DEFENDANTS

*/s/ Michele Koch*

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Michele Koch

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*/s/ Kendal Koch*

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